

IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Original): A rotating type working machine comprising: a lower traveling body; an upper rotating body rotatably mounted on the lower traveling body; a working device attached to the upper rotating body; a rotating electric motor which drives and rotates the upper rotating body; rotating operation means for instructing rotating operation of the upper rotating body; working operation means for instructing working operation of the working device; a parking brake for stopping and holding the upper rotating body; and control means for controlling operation of the parking brake; wherein the control means, when the working operation means is operated in a state that the rotating operation means is not operated, and if output of the working device based on the operation of the working operation means is greater or equal to a set value, is adapted to release the operation of the parking brake.

Claim 2 (Original): A rotating type working machine comprising: a lower traveling body; an upper rotating body rotatably mounted on the lower traveling body; a working device attached to the upper rotating body; a rotating electric motor which drives and rotates the upper rotating body; each operation means for traveling, rotating, and working for instructing traveling operation of the lower traveling body, rotating operation of the upper rotating body, and working operation of the working device respectively; a parking brake for stopping and holding the upper rotating body; and control means for controlling operation of the parking brake; wherein the control means is adapted to release the operation of the parking brake and to control the rotating electric motor to hold the upper rotating body in a stopped state if operation of at least one of working and traveling operation means is carried out in a state that the rotating operation means is not operated.

Claim 3 (Original): The rotating type working machine according to claim 2, wherein, the control means, in addition that the working operation means is operated, if output according to the operation of the working operation means is greater or equal to a set value, is adapted to release the operation of the parking brake and control the electric motor.

Claim 4 (Currently Amended): The rotating type working machine according to claim 2 ~~or claim 3~~, wherein, the control means, as an electric motor control, is adapted to carry out speed feedback control of the rotating electric motor for controlling rotating speed to be zero.

Claim 5 (Currently Amended): The rotating type working machine according to claim 2 ~~or claim 3~~, wherein, the control means, as an electric motor control, is adapted to carry out position feedback control of the rotating electric motor for holding a rotating position where the operation of the parking brake is released.

Claim 6 (Currently Amended): The rotating type working machine according to claim 2 ~~or claim 3~~, further comprising mode switching means, wherein the mode switching means is adapted to switch a mode of the electric motor control by the control means between;

A) a speed feedback control mode for carrying out a speed feedback control of the rotating electric motor so that a rotating speed becomes to zero; or

B) a position feedback control mode for carrying out a position feedback control of the rotating electric motor to hold the rotating position where the operation of the parking brake is released.

Claim 7 (Currently Amended): The rotating type working machine according to ~~any one of claims 4 to 6~~ claim 4, wherein, the control means is adapted to limit a maximum torque of the rotating electric motor at the time of electric motor control to be less or equal to a maximum value of rotating driving torque.